

## REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, canceled or added.

Claims 1-48 stand rejected under 35 U.S.C. § 102(e) based on U.S. Patent no. 6,986,018 of O'Rourke et al. ("O'Rourke").

Applicant respectfully traverses the rejections and maintains the arguments submitted in Applicant's last response (filed on 11/27/2006). The Examiner is respectfully request to reconsider those arguments (see pages 13-14 of that response).

Claim 1 recites:

1. (Previously presented) A device to operate as an intermediary node on a network, the device comprising:
  - a user interface to enable a user to specify a set of forwarding rules for forwarding requests on the network;
  - a database to store the set of forwarding rules;
  - a request processing unit to receive a request **from a client**; and
  - a rule evaluator to evaluate the set of forwarding rules to identify a rule in the set of forwarding rules which applies to the request, such that the request processing unit attempts **to forward the request to a destination selected according to said rule**. (Emphasis added.)

To summarize Applicant's arguments, O'Rourke fails to disclose or suggest any selection of a destination to which to *forward a request from a client* based on a rule that applies to the request, per Applicant's claimed invention. The closest O'Rourke comes to this is to disclose *redirecting* a client to a different server (col. 6, lines 59-62). A *redirect* is a well-known function in network technology and, as previously explained, it is not the same as or even similar to *forwarding a request from the client*.

In the Final Office Action, the Examiner responds to Applicant's arguments by stating, "As to Applicant's argument O'Rourke in the background section of the disclosure mentions that need of flexible architecture that allows a common cache server to be configured by a user by selecting and applying various sets of policies to the cache server (col. 2, lines 23-33)." Final Office Action, p. 6. Applicant's response is that this disclosure in O'Rourke cited by the Examiner has little or no relevance to *what is claimed* by Applicant. That disclosure certainly does not teach or suggest that a destination to which to *forward a request from a client* is selected based on a rule that applies to the request.

The Examiner further states, "Further in the summary section O'Rourke describes those set of policies (rules) to include a policy for distributing (forwarding) media content in response to a media content request from a user (col. 2, lines 50-67). Therefore O'Rourke clearly describes the argued limitation." Final Office Action, p. 6. Applicant's response is that, even assuming *arguendo* that *distributing media content* could be considered "forwarding" the media content (which Applicant does not concede), *that is not what Applicant has claimed*. Applicant's claim 1, for example, recites, "the "request processing unit attempts to *forward the request [from the client]* to a destination selected according to said rule." (emphasis added). Thus, the claim language recites forwarding *a request from the client*, *not* forwarding or distributing the requested *content*. Nowhere does O'Rourke disclose or suggest selection of a destination for forwarding *a request from the client*, much less doing so based on a set of forwarding rules.

Applicant respectfully maintains that O'Rourke fails to disclose or suggest all of the limitations of Applicant's claims, as explained above and in the previous response. All of Applicant's independent claims include limitations similar to those discussed above. Therefore, all of Applicant's claims are patentable over the cited art.

The Examiner concludes by stating, "Finally Examiner advises the applicant to incorporate more details regarding the rule(s) or any other aspect of the invention that are derived from the specification into the independent claim language to further proceed the application in positive direction." Final Office Action, p. 6. In response, Applicant respectfully advises the Examiner that the best way to advance prosecution at this point is for the Examiner to more carefully apply his analysis to the specific limitations recited in Applicant's claims, not some inaccurate paraphrasing of the claim language, and to *not* read into the cited art more than what the art actually discloses or suggests. In the absence of a sustainable rejection, therefore, Applicant respectfully declines the Examiner's invitation to narrow the claims.

For the foregoing reasons, Applicant respectfully submits that the rejections are improper, and Applicant respectfully requests that the rejections be withdrawn.

#### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.


Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,  
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